

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

RAYMOND K. PRICE, #08981035 §

VS. § CIVIL ACTION NO. 5:05cv206

WARDEN, F.C.I. TEXARKANA §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. No objections were filed. On November 29, 2005, Petitioner filed a motion to withdraw the petition.

This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that Petitioner's motion to withdraw the petition (dkt. #5) is **GRANTED** and this action is **DISMISSED WITH PREJUDICE** for lack of jurisdiction and **DISMISSED WITHOUT PREJUDICE** regarding all other issues; and **ORDERS** that all motions not previously ruled on are denied.

SIGNED this 5th day of December, 2005.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE